



General Assembly

January Session, 2013

Amendment

LCO No. 8021

SB0102008021SR0

Offered by:

SEN. MCKINNEY, 28th Dist.

To: Senate Bill No. 1020

File No. 654

Cal. No. 483

"AN ACT CONCERNING THE INTERSTATE WILDLIFE VIOLATOR COMPACT."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 26-82 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2013*):

6 (a) No person shall hunt, pursue, wound or kill any deer or sell or
7 offer for sale or have in possession the flesh of any deer captured or
8 killed in this state, or have in possession the flesh of any deer from any
9 other state or country unless it is properly tagged as required by such
10 state or country except as provided by the terms of this chapter or
11 regulations adopted pursuant thereto, and except that any landowner
12 or primary lessee of land owned by such landowner or the husband or
13 wife or any lineal descendant of such landowner or lessee or any
14 designated agent of such landowner or lessee may kill deer with a
15 shotgun, rifle or bow and arrow provided a damage permit has first

16 been obtained from the commissioner and such person has not been
17 convicted for any violation of this section, section 26-85, 26-86a, as
18 amended by this act, 26-86b or 26-90 or subsection (b) of section 26-
19 86a-2 of the regulations of Connecticut state agencies within three
20 years preceding the date of application. Upon the receipt of an
21 application, on forms provided by the commissioner and containing
22 such information as said commissioner may require, from any
23 landowner who has or whose primary lessee has an actual or potential
24 gross annual income of twenty-five hundred dollars or more from the
25 commercial cultivated production of grain, forage, fruit, vegetables,
26 flowers, ornamental plants or Christmas trees and who is experiencing
27 an actual or potential loss of income because of severe damage by deer,
28 the commissioner shall issue not more than six damage permits
29 without fee to such landowner or the primary lessee of such
30 landowner, or the wife, husband, lineal descendant or designated
31 agent of such landowner or lessee. The application shall be notarized
32 and signed by all landowners or by the landowner or a lessee to whom
33 a farmer tax exemption permit has been issued pursuant to
34 subdivision (63) of section 12-412. Such damage permit shall be valid
35 through October thirty-first of the year in which it is issued and may
36 specify the hunting implement or shot size or both which shall be used
37 to take such deer. The commissioner may at any time revoke such
38 permit for violation of any provision of this section or for violation of
39 any regulation pursuant thereto or upon the request of the applicant.
40 Notwithstanding the provisions of section 26-85, the commissioner
41 may issue a permit to any landowner or primary lessee of land owned
42 by such landowner or the husband or wife or any lineal descendant of
43 such landowner or lessee and to not more than three designated agents
44 of such landowner or lessee to use a jacklight for the purpose of taking
45 deer when it is shown, to the satisfaction of the commissioner, that
46 such deer are causing damage which cannot be reduced during the
47 daylight hours between sunrise and one-half hour after sunset on the
48 land of such landowner. The commissioner may require notification as
49 specified on such permit prior to its use. Any deer killed in accordance
50 with the provisions of this section shall be the property of the owner of

51 the land upon which the same has been killed, but shall not be sold,
52 bartered, traded or offered for sale, and the person who kills any such
53 deer shall tag and report each deer killed, as provided in section 26-
54 86b. Upon receipt of the report required by section 26-86b, the
55 commissioner shall issue an additional damage permit to the person
56 making such report. Any deer killed otherwise than under the
57 conditions provided for in this chapter or regulations adopted
58 pursuant thereto shall remain the property of the state and may be
59 disposed of by the commissioner at the commissioner's discretion to
60 any state institution or may be sold and the proceeds of such sale shall
61 be remitted to the State Treasurer, who shall apply the same to the
62 General Fund, and no person, except the commissioner, shall retail, sell
63 or offer for sale the whole or any part of any such deer. No person
64 shall be a designated agent of more than one landowner or primary
65 lessee in any calendar year. No person shall make, set or use any trap,
66 snare, salt lick, bait or other device for the purpose of taking, injuring
67 or killing any deer, except that deer may be taken over an attractant in
68 areas designated by the commissioner. For the purposes of this section,
69 an attractant means any natural or artificial substance placed, exposed,
70 deposited, distributed or scattered that is used to attract, entice or lure
71 deer to a specific location including, but not limited to, salt, chemicals
72 or minerals, including their residues or any natural or artificial food,
73 hay, grain, fruit or nuts. The commissioner may authorize any
74 municipality, landowner, homeowner association or nonprofit land-
75 holding organization approved by the commissioner under the
76 provisions of this section to take deer at any time, other than Sundays,
77 or place using any method consistent with professional wildlife
78 management principles when a severe nuisance or ecological damage
79 can be demonstrated to the satisfaction of the commissioner. Any such
80 municipality, landowner, homeowner association or nonprofit land-
81 holding organization shall submit to the commissioner, for the
82 commissioner's review and approval, a plan that describes the extent
83 and degree of the nuisance or ecological damage and the proposed
84 methods of taking. Prior to the implementation of any such approved
85 plan, the municipality, landowner, homeowner association or

86 nonprofit land-holding organization shall provide notice of such plan
87 to any abutting landowners of such place where the plan will be
88 implemented. Such plan shall not authorize the use of a snare. No
89 person shall hunt, pursue or kill deer being pursued by any dog,
90 whether or not such dog is owned or controlled by such person, except
91 that no person shall be guilty of a violation under this section when
92 such a deer is struck by a motor vehicle operated by such person. No
93 person shall use or allow any dog in such person's charge to hunt,
94 pursue or kill deer. No permit shall be issued when in the opinion of
95 the commissioner the public safety may be jeopardized.

96 Sec. 502. Section 26-73 of the general statutes is repealed and the
97 following is substituted in lieu thereof (*Effective October 1, 2013*):

98 Sunday shall be a closed season except for hunting deer with bow
99 and arrow and for the purpose of trapping under the provisions of this
100 chapter. The possession in the open air on Sunday of any implement
101 for hunting, except for bow and arrow, shall be prima facie evidence of
102 hunting in violation of the provisions of this section. No provision of
103 this section shall be construed so as to affect any provision of section
104 26-31, 26-48, 26-52 or 27-35. [or apply to the use of bow and arrow for
105 purposes other than hunting.] Artificially propagated birds designated
106 by the commissioner may be shot on Sundays on licensed private
107 shooting preserves subject to such regulations of the commissioner as
108 may apply to such private shooting preserves, provided permission so
109 to shoot has been obtained from the town or towns within which such
110 licensed private shooting preserves are located. Any person who hunts
111 deer on Sunday with bow and arrow pursuant to this section shall
112 conduct such hunting in accordance with and pursuant to the wildlife
113 management principles and practices established by the Commissioner
114 of Energy and Environmental Protection, have the written permission
115 of the private property owner where such hunting is conducted and
116 carry such written permission upon his or her person during the
117 hunting. No person shall hunt with bow and arrow on Sunday
118 pursuant to this section within forty yards of a blazed hiking trail.

119 Sec. 503. Subsection (a) of section 26-86a of the general statutes is
120 repealed and the following is substituted in lieu thereof (*Effective*
121 *October 1, 2013*):

122 (a) The commissioner shall establish by regulation adopted in
123 accordance with the provisions of chapter 54 standards for deer
124 management, and methods, regulated areas, bag limits, seasons and
125 permit eligibility for hunting deer with bow and arrow, muzzleloader
126 and shotgun, except that no such hunting shall be permitted on
127 Sunday by any means other than with bow and arrow pursuant to
128 section 26-73, as amended by this act. No person shall hunt, pursue,
129 wound or kill deer with a firearm without first obtaining a deer permit
130 from the commissioner in addition to the license required by section
131 26-27. Application for such permit shall be made on forms furnished
132 by the commissioner and containing such information as he may
133 require. Such permit shall be of a design prescribed by the
134 commissioner, shall contain such information and conditions as the
135 commissioner may require, and may be revoked for violation of any
136 provision of this chapter or regulations adopted pursuant thereto. As
137 used in this section, "muzzleloader" means a rifle or shotgun of at least
138 forty-five caliber, incapable of firing a self-contained cartridge, which
139 uses powder, a projectile, including, but not limited to, a standard
140 round ball, mini-balls, maxi-balls and Sabot bullets, and wadding
141 loaded separately at the muzzle end, and "rifle" means a long gun the
142 projectile of which is six millimeters or larger in diameter. The fee for a
143 firearms permit shall be nineteen dollars for residents of the state and
144 sixty-eight dollars for nonresidents, except that any nonresident who is
145 an active full-time member of the armed forces, as defined in section
146 27-103, may purchase a firearms permit for the same fee as is charged a
147 resident of the state. The commissioner shall issue, without fee, a
148 private land deer permit to the owner of ten or more acres of private
149 land and the husband or wife, parent, grandparent, sibling and any
150 lineal descendant of such owner, provided no such owner, husband or
151 wife, parent, grandparent, sibling or lineal descendant shall be issued
152 more than one such permit per season. Such permit shall allow the use

153 of a rifle, shotgun, muzzleloader or bow and arrow on such land from
 154 November first to December thirty-first, inclusive. Deer may be so
 155 hunted at such times and in such areas of such state-owned land as are
 156 designated by the Commissioner of Energy and Environmental
 157 Protection and on privately owned land with the signed consent of the
 158 landowner, on forms furnished by the department, and such signed
 159 consent shall be carried by any person when so hunting on private
 160 land. The owner of ten acres or more of private land may allow the use
 161 of a rifle to hunt deer on such land during the shotgun season. The
 162 commissioner shall determine, by regulation, the number of consent
 163 forms issued for any regulated area established by said commissioner.
 164 The commissioner shall provide for a fair and equitable random
 165 method for the selection of successful applicants who may obtain
 166 shotgun and muzzleloader permits for hunting deer on state lands.
 167 Any person whose name appears on more than one application for a
 168 shotgun permit or more than one application for a muzzleloader
 169 permit shall be disqualified from the selection process for such permit.
 170 No person shall hunt, pursue, wound or kill deer with a bow and
 171 arrow without first obtaining a bow and arrow permit pursuant to
 172 section 26-86c. "Bow and arrow", as used in this section and in section
 173 26-86c, means a bow with a draw weight of not less than forty pounds.
 174 The arrowhead shall have two or more blades and may not be less
 175 than seven-eighths of an inch at the widest point. No person shall
 176 carry firearms of any kind while hunting with a bow and arrow under
 177 this section and section 26-86c."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2013	26-82(a)
Sec. 502	October 1, 2013	26-73
Sec. 503	October 1, 2013	26-86a(a)